United Nations S/2010/687

Security Council

Distr.: General
31 December 2010

Original: English

Letter dated 31 December 2010 from the Chair of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, containing an account of the Committee's activities from 1 January to 31 December 2010 (see annex). The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

In this connection, I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Maria Luiza Ribeiro **Viotti**
Chair
Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

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Annex

Report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire covers the period from 1 January to 31 December 2010.

2. For 2010, the Bureau consisted of Maria Luiza Ribeiro Viotti (Brazil) as Chair, and the delegations of Austria and Uganda as Vice-Chairs (see S/2010/2).

II. Background

3. The Security Council, by its resolution 1572 (2004) of 15 November 2004, imposed an arms embargo, with immediate effect, as well as travel restrictions and an assets freeze on designated individuals and entities, to take effect on 15 December 2004.

4. By paragraph 14 of resolution 1572 (2004), the Security Council established a Sanctions Committee: (a) to designate and make public a list of individuals and entities subject to the targeted measures; (b) to seek information from States and entities on their implementation of the measures; (c) to consider and decide upon requests for exemptions to the arms embargo and other targeted measures; (d) to promulgate guidelines for the conduct of the Committee's work; and (e) to report to the Council regularly on its work, with recommendations and observations on ways to strengthen the effectiveness of the measures.

5. By its resolution 1584 (2005), the Security Council authorized the United Nations Operation in Côte d'Ivoire (UNOCI) and the supporting French forces to monitor the arms embargo imposed by the Council in resolution 1572 (2004), which required all States to prevent the direct or indirect supply, sale or transfer to Côte d'Ivoire of arms or any related materiel as well as the provision of any assistance, advice or training related to military activities.

6. By its resolution 1584 (2005), the Security Council also requested the Secretary-General, in consultation with the Committee, to create a group of experts to, inter alia, examine and analyse the information gathered by UNOCI and the French forces in the context of their respective monitoring mandates; gather and analyse all relevant information in Côte d'Ivoire, countries of the region and, as necessary, in other countries, on violations of the arms embargo; and to consider and recommend ways of improving the capabilities of States, in particular those in the region, to ensure the effective implementation of the measures imposed. On 23 September 2005, the Group of Experts submitted its report (see S/2005/699) to the Committee, and on 18 October 2005, by resolution 1632 (2005), the Council extended the Group's mandate until 15 December 2005, pursuant to which, on 29 November 2005, the Group submitted its update report (see S/2006/204) to the Committee.

7. By its resolution 1643 (2005), the Security Council renewed the arms embargo, as well as the travel ban and the assets freeze imposed, respectively, by paragraphs 9 and 11 of resolution 1572 (2004). By paragraph 6 of resolution 1643 (2005), the Council imposed an embargo on the import of all rough diamonds from Côte d'Ivoire. By paragraph 9 of the same resolution, the Council requested the Secretary-General to establish an expanded Group of Experts for six months with the additional task of monitoring the embargo on diamonds. The Group of Experts submitted its report to the Committee on 16 August 2006 (see S/2006/735).

8. By paragraph 4 of resolution 1643 (2005), the Security Council decided that any obstacle to the freedom of movement of UNOCI and the French forces, or any attack on or obstruction to the action of UNOCI, the French forces, the High Representative for the elections or the International Working Group constituted a threat to the peace and national reconciliation process for the purposes of the measures imposed by the Council in paragraphs 9 and 11 of resolution 1572 (2004).

9. On 14 September 2006, by resolution 1708 (2006), the Security Council extended the mandate of the Group of Experts until 15 December 2006 and requested that the Group submit a brief written update to the Council through the Committee before 1 December 2006 on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005), with recommendations in that regard. The Group of Experts submitted its update report to the Committee on 27 November 2006 (see S/2006/964).

10. On 15 December 2006, by resolution 1727 (2006), the Security Council renewed until 31 October 2007 the arms embargo, travel and financial sanctions as well as the embargo on the import of all rough diamonds originating in Côte d'Ivoire. By paragraph 7 of the same resolution, the Council decided to extend the mandate of the Group of Experts for a further six months. The Group was requested to report to the Security Council in writing, through the Committee, before 15 June 2007, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 11 June 2007 (see S/2007/349).

11. On 20 June 2007, by resolution 1761 (2007), the Security Council decided to extend the mandate of the Group of Experts, as set out in resolution 1727 (2006), until 31 October 2007. By paragraph 2 of the same resolution, the Council requested the Group of Experts to submit a written update to the Council, through the Committee, before 15 October 2007, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraphs 4 and 6 of resolution 1643 (2005). The Group of Experts submitted its report to the Committee on 21 September 2007 (see S/2007/611).

12. On 29 October 2007, by resolution 1782 (2007), the Security Council renewed until 31 October 2008 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). By paragraph 8 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2008. The Council requested the Group of Experts to provide a midterm report to the Committee by 15 April 2008 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and

paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard. The Group of Experts submitted its midterm report to the Committee on 20 March 2008 (see S/2008/235) and its final report on 15 September 2008 (see S/2008/598).

13. On 29 October 2008, by resolution 1842 (2008), the Security Council renewed until 31 October 2009 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). By paragraph 10 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2009. The Council requested the Group to provide a midterm report to the Committee by 15 April 2009 and to submit a final written report to the Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard. The Group of Experts submitted its midterm report to the Committee on 20 March 2009 (see S/2009/188) and its final report on 15 September 2009 (see S/2009/521).

14. On 29 October 2009, by resolution 1893 (2009), the Security Council renewed until 31 October 2010 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). By paragraph 10 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 31 October 2010. The Council requested the Group to provide a midterm report to the Committee by 15 April 2010 and to submit a final written report to the Security Council through the Committee 15 days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard.

15. On 15 October 2010, by resolution 1946 (2010), the Security Council renewed until 30 April 2011 the measures contained in paragraphs 7 to 12 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005). By paragraph 9 of the same resolution, the Council decided to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) until 30 April 2011. The Council requested the Group to provide a report to the Committee by 15 April 2011 on the implementation of the measures imposed by paragraphs 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in that regard.

III. Summary of the activities of the Committee

16. In the course of 2010, the Committee held five informal consultations (19 February, 9 April, 2 July, 15 September and 11 October).

17. On 18 March 2010, the Group of Experts submitted its midterm report (S/2010/179) to the members of the Committee. Subsequently, the Group presented the midterm report to Committee members during the Committee's informal consultations on 9 April 2010. At the same meeting, Committee members also discussed the observations and recommendations contained in the report. During the consultations of the Security Council on 15 April 2010, the Chair briefed the members of the Council on the main findings contained in the report as well as the Committee's discussions of the Group's report and its recommendations.

18. Following up on the report's recommendations, on 3 May 2010, the Committee dispatched letters to the Permanent Representatives to the United Nations of Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Lebanon, Liberia, the Libyan Arab Jamahiriya, Mali, Portugal, Togo and the United Arab Emirates, drawing attention to relevant paragraphs contained in the Group's midterm report. Letters were also transmitted to representatives of the World Federation of Diamond Bourses, the Agency for the Safety of Air Navigation in Africa and Madagascar, the Economic Community of West African States, the World Bank and the World Customs Organization. Letters were also dispatched to the Under-Secretary-General for Peacekeeping Operations and the representatives of the private companies Canadian Natural Resources and Goldspan. Furthermore, on 3 May 2010, the Committee transmitted a note verbale to all Member States, drawing their attention to relevant paragraphs contained in the Group's midterm report. Subsequently, the Committee received replies to its letters from the President of the World Federation of Diamond Bourses on 11 May 2010, the Under-Secretary-General for Peacekeeping Operations on 24 June 2010 and the Permanent Representative of Burkina Faso to the United Nations on 1 July 2010.

19. On 26 October and 26 November 2010, the Committee received letters from the Permanent Representative of France to the United Nations, transmitting requests for approval of the shipment of law enforcement equipment to Côte d'Ivoire, as an exemption to the embargo, which the Committee approved.

20. On 15 September 2010, the Group of Experts submitted its final report to the members of the Committee. Subsequently, the Group presented the final report during the Committee's informal consultations on 11 October 2010. At the same meeting, Committee members also discussed the observations and recommendations contained in the report but did not conclude its considerations thereof. During the Security Council's consultations on 14 October 2010, the Chair briefed the members of the Council on the main findings contained in the report and on the Committee's discussions of the Group's report and its recommendations. The Committee intends to conclude its consideration of the Group's final report in early 2011.

21. During the reporting period, the Committee considered a total of seven media and arms embargo monitoring reports, which are prepared by UNOCI in accordance with paragraphs 2 and 9 of resolution 1584 (2005) and paragraph 6 of resolution 1572 (2004). The Committee also considered four quarterly UNOCI human rights reports (three reports from 2010 and one from 2009).

IV. Violations and alleged violations of the sanctions regime

22. In its midterm report issued on 12 April 2010 (see S/2010/179), the Group of Experts on Côte d'Ivoire observed, inter alia, that possible violations of the sanctions regime continued to occur in both the north and the south of the country. Inspections to military sites continued to be unsuccessful, particularly to those that are controlled by the Republican Guard. The Group also noted that consistent revenues derived from natural resources still remained unaccounted for, with the risk of being utilized for the illicit purchase of weapons and materiel in violation of the embargo. On the embargo on diamonds, the Group stressed that rough stones continue to leave the territory of Côte d'Ivoire to reach the international diamond market, through neighbouring countries.

V. Observations and conclusions

23. The primary responsibility for the implementation of the measures imposed by the Security Council rests with Member States. For its part, in facilitating and monitoring the implementation of the relevant measures, the Committee has greatly benefited from the information provided by the Group of Experts, UNOCI and other sources, which have proved to be a useful tool in deciding on appropriate actions. The Committee remains committed to discharging its mandate as effectively and as efficiently as possible.